IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 4TH JUNE 2007 / 14TH JYAISHTA 1929

Bail Appl..No. 3224 of 2007()

CRIME NO.353/2007 OF KAYAMKULAM POLICE STATION

: PETITIONER

A.SHAFEEK, KOPRAPURAYIL,
KANNAMPALLYBHAGAM, KAYAMKULAM,
ALAPPUZHA DISTRICT.

BY ADV. SRI.M.V.BOSE
SRI.VINOD MADHAVAN
SMT.NISHA BOSE

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 3224/2007

Dated this 4th day of June, 2007

O R D E R

The petitioner who is the accused in crime No.353/2007 in Kayamkulam Police station for an offence punishable under Clause 5(a) of the Kerala Rationing Order read with Sections 3 and 7 of the Essential Commodities Act, 1955, seeks anticipatory bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. In as much as in a similar case, this Court has granted anticipatory bail to the accused therein as per the order dated 15.12.2006 in B.A.7443/2006, I see no reason why a deviation should be made with regard to the present case particularly when the entire quantity of food grains has been seized by the police.

4. Having regard to the nature of the allegations levelled against the petitioner and the other circumstances of the case, I am inclined to grant anticipatory bail to the

petitioner. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

(a). Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

(b). The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

(c). The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

(d). Petitioner shall not commit any offence while on bail.

(e). Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

5. If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE

mrcs